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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/064,128

06/13/2002

Claude Scher

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08/05/2005

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EXAMINER

CHARIOUI, MOHAMED

ART UNIT

PAPER NUMBER

2857

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,128

Applicant(s)

SCHER ET AL.

Examiner

Mohamed Charioui

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. In view of the after final response filed July 18, 2005, FINALITY of the last office action is withdrawn and PROSECUTION IS HERBY REOPENED. A new ground of rejection is set forth below:

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-8, 16 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schleiss et al. (U.S. 6,298,454) in view of Williams (U.S. 5,754,451) and Gerald E. Dallal (<http://www.tufts.edu/~gdallal/plots.htm>).

As per claims 1, 7, 8, 16 and 17, Schleiss et al. teach a computer controller coupled to the data acquisition system (see col. 3, lines 15-29); a display device coupled to the computer controller (see col. 4, lines 40-56); the controller receiving data from the data acquisition system, diagnosing a problem in response to the data (see col. 6, line 51 to col. 7, line 9).

Schleiss et al. fail to teach that the controller generates a screen display corresponding to an architectural representation of the data acquisition system and a screen indicia on the display device corresponding to a location of a problem on the schematic representation of the data acquisition system.

Williams teaches this feature (see col. 1, line 42 to col. 2, line 10). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Williams's teaching into Schleiss et al.'s teaching because it would provide the generation of a screen display corresponding to an architectural representation of the data acquisition system and a screen indicia on the display device corresponding to a location of a problem on the schematic representation of the data acquisition system. Therefore, detection of faults and faults location in the data acquisition system would be more accurate and corrective actions would be taken in a more efficient manner.

Schleiss et al. in view of Williams do not teach generating a second screen display comprising a boxplot illustrating normalized raw data.

Gerald E. Dallal teaches this feature (see pages 1 and 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Gerald E. Dallal teaching into Schleiss et al. in view of Williams teaching because box plots would contain more information about the data being analyzed, Therefore, analysis of the data would be accurately performed and diagnostic results would be more reliable.

As per claim 2, Schleiss et al. further teach that data is stored in a memory (see col. 6, lines 51-58); and wherein the data is communicated from the data acquisition system (see col. 6, lines 51-58 and Fig. 2).

As per claims 3-5 and 19, Schleiss et al. further teach a network coupling the computer controller and the data acquisition system (se col. 6, line 62 to col. 7, line 9).

3. **Claims 9-14, 18, 20 and 21-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schleiss et al. in view of Williams and Gerald E. Dallal. and further in view of Taguchi et al. (U.S. 5,807,256).

As per claims 9-14, 18 and 20, Schleiss et al. in view of Williams and Gerald E. Dallal teach the system as stated above except that the data acquisition system is disposed with the computed tomography system.

Taguchi et al. teach this feature (see col. 12, line 60 to col. 13, line 7; Fig. 1; and col. 16, lines 41-67; and col. 12, lines 13-40). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Taguchi et al.'s teaching into Schleiss et al. in view of Williams and Gerald E. Dallal's teaching because the computed tomography system would acquire data for processing. Therefore, diagnostics and interpretation of data would be performed.

As per claims 21-23, Schleiss et al. in view of Williams and Gerald E. Dallal et al. teach the system as stated above except that the boxplot is colored to indicate passed or failed data.

Taguchi et al. teach this feature (see col. 21, line 59 to col. 22, line 12). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Taguchi et al.'s teaching into Schleiss et al. in view of Williams and Gerald E. Dallal's teaching because it would classify the data as to whether is carry a disease or it is a disease free. Therefore, optimization and efficiency in forming accurate interpretation report data would be performed.

4. **Claims 6 and 15** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schleiss et al. in view of Howards Korritzinsky et al. (U.S. 6,598,011).

Schleiss et al. in view of Williams teach the system as stated above except that the controller has a web browser.

Howards Korritzinsky et al. teach this feature (see col. 9, lines 1-15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate Howards Korritzinsky et al.'s teaching into Schleiss et al. in view of Williams's teaching, because it would connects the controller to a browser. Therefore, diagnostic data would be viewed remotely and/or instantly via browser and pre-processing and ordering diagnostic data from archives would be obviated.

Response to Arguments

5. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

Contact information


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohamed Charioui whose telephone number is (571) 272-2213. The examiner can normally be reached Monday through Friday, from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohamed Charioui

8/1/05


MARC S. HOFF
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